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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 DAVID AUGUST KILLE,

10 Petitioner,

11 vs.

12 JAMES GREG COX, et al.,

13 Respondents.  
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Case No. 2:15-cv-00062-JCM-GWF

**ORDER**

15 Petitioner has submitted an application to proceed in forma pauperis (#1) and a petition for a  
16 writ of habeas corpus pursuant to 28 U.S.C. § 2254. The court finds that petitioner is unable to pay  
17 the filing fee. The court has reviewed the petition pursuant to Rule 4 of the Rules Governing  
18 Section 2254 Cases in the United States District Courts. The court will serve the petition upon  
19 respondents for a response.

20 Petitioner has submitted a motion to extend prison copywork limit (#2). Good cause  
21 appearing, the court grants this motion.

22 IT IS THEREFORE ORDERED that the application to proceed in forma pauperis (#1) is  
23 **GRANTED**. Petitioner need not pay the filing fee of five dollars (\$5.00).

24 IT IS FURTHER ORDERED that petitioner's motion to extend prison copywork limit (#2)  
25 is **GRANTED**. Petitioner's copy limit shall be extended by an additional ten dollars (\$10.00).

26 IT IS FURTHER ORDERED that the clerk of the court shall file the petition for a writ of  
27 habeas corpus pursuant to 28 U.S.C. § 2254.  
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1 IT IS FURTHER ORDERED that the clerk shall add Adam Paul Laxalt, Attorney General  
2 for the State of Nevada, as counsel for respondents.

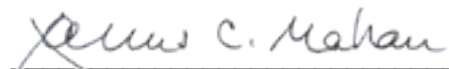
3 IT IS FURTHER ORDERED that the clerk shall electronically serve upon respondents a  
4 copy of the petition and this order. In addition, the clerk shall return to petitioner a copy of the  
5 petition.

6 IT IS FURTHER ORDERED that respondents shall have forty-five (45) days from the date  
7 on which the petition was served to answer or otherwise respond to the petition. Respondents shall  
8 raise all potential affirmative defenses in the initial responsive pleading, including lack of  
9 exhaustion and procedural default. Successive motions to dismiss will not be entertained. If  
10 respondents file and serve an answer, then they shall comply with Rule 5 of the Rules Governing  
11 Section 2254 Cases in the United States District Courts, and then petitioner shall have forty-five  
12 (45) days from the date on which the answer is served to file a reply.

13 IT IS FURTHER ORDERED that any exhibits filed by the parties shall be filed with a  
14 separate index of exhibits identifying the exhibits by number or letter. The CM/ECF attachments  
15 that are filed further shall be identified by the number or numbers (or letter or letters) of the exhibits  
16 in the attachment. The hard copy of any additional state court record exhibits shall be  
17 forwarded—for this case—to the staff attorneys in Las Vegas.

18 IT IS FURTHER ORDERED that henceforth, petitioner shall serve upon respondents or, if  
19 appearance has been entered by counsel, upon the attorney(s), a copy of every pleading, motion or  
20 other document submitted for consideration by the court. Petitioner shall include with the original  
21 paper submitted for filing a certificate stating the date that a true and correct copy of the document  
22 was mailed to the respondents or counsel for the respondents. The court may disregard any paper  
23 received by a district judge or magistrate judge that has not been filed with the clerk, and any paper  
24 received by a district judge, magistrate judge, or the clerk that fails to include a certificate of service.

25 DATED June 10, 2015.

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28 JAMES C. MAHAN  
United States District Judge